

RAKOFF

JUDGE RAKOFF

Lisa M. Lewis (LL 6695)
SHEPPARD MULLIN RICHTER & HAMPTON LLP
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FLORENS CONTAINER INC.,

Plaintiff,

v.

IMS SHIP MANAGEMENT PVT. LTD.,

Defendant.

Civil Action No.

**EX PARTE ORDER DIRECTING
CLERK TO ISSUE PROCESS OF
MARITIME ATTACHMENT AND
GARNISHMENT; APPOINTING
PERSON TO SERVE PROCESS
PURSUANT TO RULE 4(c); AND
CONCERNING SCOPE OF SERVICE**

WHEREAS, on August 29, 2007 plaintiff Florens Container Inc. ("Florens"), filed a Verified Complaint for damages amounting to \$544,028.83 inclusive of interest, costs and reasonable attorneys' fees, and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and

WHEREAS, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of the property of the Defendant within this District; and

WHEREAS, the Court has reviewed the Verified Complaint and the Supporting Declaration of Lisa M. Lewis, and the conditions of Supplemental Admiralty Rule B appear to exist.

THE COURT ORDERS THAT:

1. Process of Maritime Attachment and Garnishment shall issue forthwith against all tangible or intangible property belonging to, claimed by or being held for Defendant by any garnishees within this District, including but not limited to, ABN Amro Bank; American Express Bank; Bankers Trust; Bank of America, N.A.; Bank of China; The Bank of New York; Barclays Bank; BNP Paribas; Calyon; Citibank, N.A.; Credit Suisse First Boston; Deutsche Bank Trust Company Americas; HSBC Bank USA, N.A.; JP Morgan Chase Bank, N.A.; LaSalle Bank, N.A.; Standard Chartered Bank; UBS AG; U.S. Bank, N.A.; Wachovia Bank, N.A.; and/or Wells Fargo Bank, N.A., in an amount up to and including \$544,028.83 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure;

2. Any person claiming an interest in the property attached or garnished pursuant to this Order shall, upon application to the Court, be entitled to a prompt hearing at which Florens shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted;

3. The Clerk shall issue supplemental process enforcing the Court's Order upon application of plaintiff's counsel without further order of the Court;

4. Lisa M. Lewis, or any other partner, associate, paralegal or other agent of Sheppard, Mullin, Richter & Hampton LLP, is hereby appointed, in addition to the United States Marshal, to serve the Process of Attachment and Garnishment issued pursuant to Supplemental Rule B of the Federal Rules of Civil Procedure and the Verified Complaint, together with a copy of this

Order, upon the named garnishee(s) as well as any other garnishee(s) who (based upon subsequent or additional information) may hold assets of, for, or on behalf of Defendant;

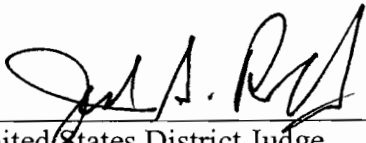
5. Following initial service by the United States Marshal or other designated process server upon each garnishee, supplemental or subsequent service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile transmission or email to each garnishee and each garnishee personally served shall furnish to Florens' counsel, the United States Marshal, or designated process server a facsimile number or email address to which supplemental or subsequent services may be made;

6. Service on any garnishee shall be effective continuous service throughout the day from the time of such service through the opening of the garnishee's business the next business day;

7. In accordance with Fed. R. Civ. P. 5(b)(2)(D), a garnishee may consent in writing to service by any other means;

8. A copy of this Order shall be attached to and served with the Process of Maritime Attachment and Garnishment.

Entered this 30th day of August 2007.



United States District Judge
Southern District of New York